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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Bontrager, et al.
Appl. No.: 10/717,110
Confirm. No.: 7308
Filed: November 19, 2003
Title: MODIFIED SPRING SYSTEM END CAP
FOR PACKAGING FRAGILE ARTICLES
WITHIN SHIPPING CARTONS

PATENT APPLICATION

Art Unit: 3632
Examiner: Unknown

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on June 14, 2004.

(Attorney Signature)

Michael L. Robbins, Reg. No. 54,774
Signature Date: June 14, 2004

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted with this communication in connection with the above-identified application is the following:

✓ A Power of Attorney by Assignee under 37 C.F.R. §§3.71, 3.73(b).

No fee is required with this communication.

Respectfully submitted,

Date: 6/14/04

By:

Michael L. Robbins
Reg. No. 54,774

Customer No. 23910
FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone (415) 362-3800



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POWER OF ATTORNEY BY ASSIGNEE UNDER 37 C.F.R. §§ 3.71, 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-identified Assignee is the owner of the entire right, title and interest in the above-identified patent application by virtue of an assignment from the inventor(s).

_____ The Assignment was recorded in the United States Patent and Trademark Office at Reel
____, Frames ____ - ____, or

☒ A true copy of the Assignment is attached hereto, the original of which has been (or is
herewith) forwarded to the United States Patent and Trademark Office for recording.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Assignee hereby appoints Martin C. Fliesler, Reg. No. 25,656, Michael L. Robbins, Reg. No. 54,774, and other attorneys of FLIESLER MEYER LLP, Customer No. 23910, to prosecute this application and transact all business in the United States Patent & Trademark Office connected therewith; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. §3.71.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please address all correspondence to:
Martin C. Fliesler
FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, CA 94111-4156
Telephone: (415) 362-3800

Please direct all telephone calls to:
Michael L. Robbins

Assignee: RSVP Operations, LLC
Assignee Type: Limited Liability Company
Signor's Name: Keith Van Amburg
Signor's Title: President
Signature: [Signature] Date: 5/14/04

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

- (1) Richard L. Bontrager,
a resident of Ripon, California; and
- (2) Michael A. Brown,
a resident of Jamestown, Rhode Island; and
- (3) Robert F. Hacker,
a resident of McHenry, Illinois; and
- (4) Randall G. Strange,
a resident of Lompoc, California;

have invented certain new and useful improvements in:

MODIFIED SPRING SYSTEM END CAP FOR PACKAGING FRAGILE ARTICLES WITHIN SHIPPING CARTONS

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, said invention having been filed on the 19th day of November, 2003, and assigned U.S. Patent Application No. 10/717,110.

WHEREAS RSVP Operations, LLC (hereinafter termed "Assignee"), a California limited liability company, having a place of business at 300 Orchard City Drive, Suite 126, Campbell, State of California 95008, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date as given below and delivered this instrument to said Assignee:

4/28/04
Date

(1) Richard L. Bontrager
Richard L. Bontrager (Inventor's Signature)

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared Richard L. Bontrager, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

4/26/04
Date

(2) Michael A. Brown
Michael A. Brown (Inventor's Signature)

State of Rhode Island

County of Newport

On April 26, 2004 before me, Arlene D. Petit
(name and title of officer)

personally appeared Michael A. Brown, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Arlene D. Petit

ARLENE D. PETIT
NOTARY PUBLIC
STATE OF RHODE ISLAND
COMMISSION EXPIRES
JULY 25, 2006

4-28-04
Date

(3) Robert F. Hacker
Robert F. Hacker (Inventor's Signature)

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared Robert F. Hacker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

April 27, 2004
Date

(4) Randall G. Strange
Randall G. Strange (Inventor's Signature)

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared Randall G. Strange, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____
